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8 Attorneys for RHONDA A. WEISS

9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 In Re

13 PG&E CORPORATION,

14 -and-

15 PACIFIC GAS AND ELECTRIC COMPANY,

16 Debtors

Case No. 19-30088 (DM)

Chapter 11

**RHONDA A. WEISS' RESPONSE TO THE
FORTY-THIRD OMNIBUS OBJECTION
TO CLAIMS (NO LIABILITY/PASS-
THROUGH CLAIMS)**

Date: December 15, 2020

Time: 4 p.m.

Place: San Francisco, CA

Ctrm: 17, 16th Floor - Telephonic Appearance
Only

Judge: Dennis Montali

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22 Creditor RHONDA A. WEISS, ("RHONDA") hereby offers her response to the **FORTY-**
23 **THIRD OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY/PASS-THROUGH CLAIMS),**
24 as follows:

25 1. RHONDA resides at 17760 Navajo Trail, Los Gatos, CA, which is located in the Santa
26 Cruz Mountains in Santa Clara County.
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1 2. On the evening of February 3, 2016, at approximately 11 p.m., she experienced a power
2 surge so powerful that it caused a surge protector inside her home to catch fire. This awakened her
3 from sleep; she grabbed her pants, keys and phone, escaped from the house and called 911. The
4 following day, she had her house inspected and it was determined that the surge had destroyed her
5 electrical system and major and minor appliances.

6 3. On February 8, 2016, RHONDA contacted PG&E and spoke with Morgan in the
7 Claims Department in Sacramento. She asked how the claim process works and was advised that
8 PG&E would be email claim forms. She was further advised that she had three years to make the claim
9 and provide supporting documents.

10 4. On February 11, 2016, RHONDA again contacted the PG&E claims department and
11 spoke with Stacey in Fresno to ask about how to replace appliances that were damaged by the power
12 surge. Stacy advised her to have a contractor verify which items and appliances were damaged and
13 not working; to itemize all the items in a written statement and submit copies of the receipts.
14 RHONDA was advised that she could submit more than one claim; that she could submit them as the
15 receipts were issued. This was confirmed by a Bea, a supervisor that RHONDA spoke with on May
16 4, 2016.

17 5. On June 2, 2016, approximately four (4) months after the PG&E surge destroyed her
18 home's electrical system and appliances, RHONDA submitted her claim on line, and was issued claim
19 number A16109926.

20 6. On June 7, 2016, RHONDA spoke with PG&E employee Miriam Bolcom who advised
21 her that the claim could not be processed because not all receipts were provided, and who also advised
22 her that her claim was being reassigned because it exceeded Ms. Bolcom's authority of \$5,000.

23 7. On June 14, 2016, RHONDA communicated with PG&E employee Kenya Owens
24 about the age of the appliances that were destroyed by the power surge.

25 8. On January 31, 2019, RHONDA emailed the remainder of her supporting
26 documentation to claimsdocs@pge.com. She followed up by mailing copies of her claim to Prime
27 Clerk on February 1, 2019.

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MEMORANDUM OF POINTS & AUTHORITIES

An unsecured creditor is entitled to submit a claim pursuant to 11 U.S.C. 502, which is deemed allowed unless a party in interest objects.

In this case, the basis for the Debtor’s objection is “Statute of Limitations Passed.”

The statute of limitations to submit claims for property damage is three years pursuant to Cal. Code of Civ. Proc. §338.

In this case, damage to RHONDA’s property occurred on February 4, 2016. RHONDA’s initial claim was made some four months after the initial injury occurred. Thus it was made in a timely manner. The claim was supplemented on January 31, 2019, just shy of the three-year mark, but still within the statute of limitations.

CONCLUSION

WHEREFORE, RHONDA prays as follows:

- (1) For an order denying the Debtor’s objection to her claim and for an order directing Debtor’s to pay her claim.
- (2) For such other and further relief as the Court may deem just and proper.

Dated: 11/30/2020 **DAVID S. HOFFMAN, ATTORNEY AT LAW**

/s/ David S. Hoffman
David S. Hoffman, Attorney for RHONDA A. WEISS